

# United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

## SERVICE AND REGULATORY ANNOUNCEMENTS.

### SUPPLEMENT.

N. J. 5801-5850.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., April 30, 1918.]

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**5801. Adulteration and misbranding of vinegar. U. S. \* \* \* v. John J. Kinney (Kinney Cider Co.). Plea of guilty. Fine, \$25. (F. & D. No. 8255. I. S. No. 20674-1.)**

On June 13, 1917, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John J. Kinney, trading as Kinney Cider Co., Benton Harbor, Mich., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about April 28, 1916, from the State of Michigan into the State of Illinois, of a quantity of an article labeled in part, "Pure Apple Vinegar," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	0.35
Glycerol (gram per 100 cc)-----	0.13
Solids (gram per 100 cc)-----	1.00
Nonsugar solids (gram per 100 cc)-----	0.81
Reducing sugar as invert after evaporation, before inversion (gram per 100 cc)-----	0.19
Ash (gram per 100 cc)-----	0.19
Ash in nonsugar solids (per cent)-----	23.4
Alkali-soluble ash (cc N/10 acid per 100 cc)-----	20.3
Insoluble ash (gram per 100 cc)-----	0.027
Acidity as acetic (grams per 100 cc)-----	3.87
Total phosphoric acid (milligrams per 100 cc)-----	13.7

The analysis shows that the product consists of cider vinegar with admixture of water and distilled vinegar or acetic acid.

Adulteration of the article was alleged in the information for the reason that distilled vinegar and dilute acetic acid had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for pure apple vinegar, which the article purported to be.

Misbranding was alleged in substance for the reason that the statement concerning the article and the ingredients and substances therein contained appearing on the label, to wit, "Pure Apple Vinegar," was false and misleading in that it represented to purchasers that the article was pure apple vinegar, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was pure apple vinegar, whereas, in truth and in fact, it was not, but was a mixture of apple vinegar with distilled vinegar and dilute acetic acid.

On June 21, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*